

Official Proceedings

July 3, 2007

8:00 am

Chairman Duane Wolf called the meeting of the Stark County Board of Commissioners to order. All members present.

Chairman Wolf asked for any additions to the agenda. Comm. Hoff added Fair Association review. Comm. Nodland added zoning board recommendation, State Addition property sales and county shop financial update. Kay Haag, Deputy Auditor, added Sharon Kickertz-Gerbig. Chairman Wolf added weed board. Comm. Hoff moved to approve the agenda. Comm. Willer seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Willer moved to approve the minutes from the June 5, 2007, meeting as presented. Comm. Zander seconded. All voted Aye and the motion carried.

Comm. Nodland moved to accept the accounts payable and supplement as presented. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

General: Payroll: \$107,107.35; George Nodland: \$75.00; Ken Zander: \$75.00; Comfort Inn: \$100.00; Institute of Local Govt: \$50.00; Alice Schulz: \$117.20; Sky Dancer Hotel: \$140.25; James Hope: \$104.50; SBAND: \$140.00; West Payment Center: \$458.01; Culligan Water: \$34.00; SBM Inc: \$1,149.53; Secretary of State: \$36.00; Xerox Corporation: \$186.82; B & M Security Inc: \$16.50; Berger Electric: \$24.00; Border States Electric: \$193.80; City of Dickinson: \$7,197.06; Dakota Farm Equipment: \$37.80; Dickinson Heating & Air: \$55.00; DJ's Amoco: \$140.11; Jerome Distributing: \$168.30; John Gaffaney Greenhouse: \$175.92; Newby's Ace Hardware: \$103.20; One Stop Rental: \$11.00; Quality Xterminators: \$75.00; R J Distributing: \$129.00; MDU: \$2,396.65; West Plains Electric: \$157.00; Mary Rice: \$4.53; NDPers: \$11,511.11; Hardy, Maus & Nordsvan: \$675.00; Alltel: \$740.06; Consolidated: \$492.82; Qwest Corporation: \$487.00; Braun Distributing: \$111.00; Pitney Bowes Inc: \$819.00; Quality Quick Prints: \$24.00; Walmart: \$293.87; ND Youth Correctional Dept: \$1,026.48; NDACO: \$62.00; David Bauer: \$225.00; NDSU Ext Service: \$450.00; Vanguard Appraisal Service: \$60,862.00; Stockmen's Livestock: \$1,635.74; Jerry Williams: \$1,725.00; Dickinson Parks & Rec: \$68.64; Imperial Scott: \$189.40; Days Inn: \$100.00; Expressway Inn: \$178.05; Sleep Inn & Suites: \$360.00; NDPOA: \$742.00; Advanced Business Methods: \$505.94; Visa: \$200.77; Superior Cleaners: \$8.25; Wanner Western Wear: \$227.39; Dickinson Tire: \$1,208.80; Midas: \$151.95; Pro Tint: \$130.00; Sax Motor Co: \$346.59; T-Rex Conoco Inc: \$279.31; BP Amoco: \$1,827.45; Farmers Union of Bis/Man: \$1,796.04; Jay Kuntz: \$60.00; Assembled Products: \$2.22; Light & Siren: \$25.00; LEC Maintenance: \$4,537.43; American Bank Center: \$523.12; Brent Pringle: \$22.50; Dickinson Press: \$42.78;

10 Mill: West River Stripping: \$1,118.90;

County Road: BG Excavation: \$3,735.88; Central Mechanical: \$14,922.36; Northern Improvement: \$26,549.74; Outback Lumber Supply: \$60.00; Runnings Supply: \$274.18; Boespflug Trailers: \$2,325.00; Pump Systems: \$168.32; Western Fire & Safety: \$63.70; West Plains Implement: \$10,836.42; City of Dickinson: \$96.12; Alltel: \$354.18; City of Belfield: \$12.85; City of Richardton: \$54.90; Consolidated: \$21.00; MDU: \$445.74; SW Water Authority: \$41.28; West Plains Electric: \$670.00; Qwest: \$49.91; ACME Electric Co: \$33.99; Braun Distributing: \$143.48; Butler Machinery: \$1,099.49; Carquest Auto Parts: \$70.56; Country Drug Store: \$14.99; Dakota Filter Supply: \$111.68; Dakota Dust-Tex: \$13.70; Dickinson Supply: \$32.59; Farmers Union Oil of South Heart: \$7.19; Jerome Distributing: \$54.10; Lenny's Repair: \$80.00; Napa Quality Auto Parts: \$83.00; Newby's Ace Hardware: \$47.34; Southwest Grain: \$4,947.31; ND Dept of Transportation: \$5,202.25; Belfield Automotive Supply: \$32.98; Chad's Automotive: \$244.85; Performance Truck Center: \$158.29; Schmidt Repair Inc: \$24.70; Basin Hydraulic: \$264.67; Dakota Farm Equipment: \$17.80; Dickinson Tire: \$110.24; Queen City Upholstery: \$148.97; GA Sadowsky & Son: \$5,226.80; Missouri Valley Petroleum: \$3,400.83; West Dakota Oil: \$7,522.25; Fisher Sand & Gravel: \$506.20; Dickinson Ready Mix: \$1,820.00; Newman Traffic Signs: \$133.25; Petroleum Tank Reserve: \$300.00; NDLTAP-UGPTI: \$350.00; Payroll: \$117.09;

Highway Tax Distribution: Payroll: \$54,118.46; NDPers: \$12,725.66;

Social Welfare: ND Dept of Human Services: \$8,021.78; Steve's Service: \$150.00; Kadrmas Tire Service: \$138.82; The UPS Store: \$126.69; Roberta Igar: \$483.75; Bert & LaVonne Hutzenbiler: \$170.00; Payroll: \$147,818.01; NDPers: \$33,145.47; Child Support: \$2,348.00; Social Services: \$13,861.01; DeAnn Speicher: \$273.00;

County Poor: ND Dept of Human Services: \$22,001.89;

IT – Computer/Updates: Payroll: \$4,000.00; NDPers: \$619.47; American Bank Center: \$299.51; Consolidated: \$198.04; ESP Computers: \$19.90; Hewlett-Packard: \$1,848.00; Zones Corporation: \$229.22; Information Technology Dept: \$1,117.40;

County Park: Western Fence: \$15,400.00;

Fair Board: Stark County Fair Board: \$232.17;

County Jail: SWMCCC: \$32,302.81;

Insurance: State Fire & Tornado: \$2,460.12; ND State Bonding: \$140.00;

Comp Health: NDPers: \$15,989.91; Blue Cross Blue Shield: \$427.20; Medicare Blue RX: \$131.80;

VSO Fund: Payroll: \$5,621.31;

Social Security: American Bank Center: \$22,509.69; Internal Revenue Service: \$29.13;

Advertising: Dickinson Press: \$124.20;

County Agent: Payroll: \$3,625.03; NDPers: \$250.49; NDSU Extension Service: \$59.87; Kurt Froelich: \$30.00; Sharon Kickertz-Gerbig: \$35.29; Consolidated: \$161.74; Advanced Business Methods: \$1,289.52; Pitney Bowes: \$189.00; Kirtsten Hansen: \$129.60; Loucinda Martin: \$140.70;

Weed Control: Payroll: \$9,432.44; NDPers: \$617.42; Diane Allmendinger: \$268.20; Alltel: \$57.78; Walmart: \$181.77; SBM Inc: \$15.58; US Postal Service: \$205.00; Helena Chemical: \$45,547.50; Runnings Supply: \$88.79; Pump Systems Inc: \$24.80; Reds Fix It Shop: \$50.40; Western Fire & Safety: \$143.40; City of Dickinson: \$28.00; American Bank Center: \$96.84; NDPers: \$250.45;

9-1-1: Payroll: \$4,937.66; NDPers: \$1,552.93; American Bank Center: \$339.87; City of Dickinson: \$5,939.59; Comfort Inn: \$150.00; Logo Magic Inc: \$52.00; Qwest: \$1,837.40; Consolidated: \$597.00; Reservation Telephone: \$80.00; Quality Quick Print: \$137.50; SBM Inc: \$20.54; 3D Specialties: \$1,159.24; Visa: \$506.84;

Adult Education: NDSU Extension Pesticide Program: \$56.00; Walmart: \$4.52;

Domestic Violence: State Treasurer: \$700.00;

Northland Project Grant: Nimco Inc: \$128.30; Positive Promotions: \$323.04; South Heart School: \$94.54;

Traf Safety Grant: BP Amoco: \$458.12; Payroll: \$663.52;

Homeland Security Grant: St Joseph's Hospital: \$1,114.80;

Game & Fish: ND Game & Fish Dept: \$63,549.00;

LEC Financial Officer: Payroll: \$4,100.67; American Bank Center: \$307.10; NDPers: \$373.98;

SW Victim Witness Program: Payroll: \$2,758.85; Sleep Inn & Suites: \$120.00; Alltel: \$92.87; Consolidated: \$2.52; American Bank Center: \$200.74; NDPers: \$506.27;

Domestic Violence Rape Crisis Center: Domestic Violence: \$677.89;

Preservation Fund: Cass County Treasurer: \$832.50;

State Reimbursement: Travis Leintz: \$25.00; Tom Grosz: \$25.00; Todd Weiler: \$25.00;

Siren Contingency: Denny's Electric: \$1,087.16;

Other Reimbursements: Just In Glass: \$35.00; NDACO: \$15.00; Sheri Peterson: \$400.00; Consolidated: \$137.12;

BCI-Task Force: Payroll: \$2,845.05; American Bank Center: \$217.64; NDPers: \$519.54;

911 Wireless Fee: Archonix: \$5,782.00; NDACO: \$9,274.09; Verizon Wireless: \$35.00;

Gary Kostelecky gave the Emergency Management report.

Sharon Kickertz-Gerbig, County Extension Office, introduced Deb Dohrman, as the Family Nutritionist recently hired to replace Dolores Roy. Sharon also presented favorable evaluations of the Real Colors Workshop offered to employees recently.

Sheriff Clarence Tuhy gave an update on the South Sakakawea Narcotics Task Force.

Sheriff Clarence Tuhy presented a grant application for selective enforcement. Comm. Nodland moved to authorize the Chairman sign the North Dakota Highway Safety grant application. Comm. Zander seconded. All voted Aye and the motion carried.

Sheriff Clarence Tuhy presented a grant application for equipment. Comm. Zander moved to authorize the Chairman sign the NDDOT grant application for equipment. Comm. Nodland seconded. All voted Aye and the motion carried.

Stacey Kilwein requested Stark County serve as a pass through agent for funding of Project Northland through a Juvenile Justice Title V grant. Comm. Nodland moved to authorize Chairman Wolf sign the Title V Grant application and have Stark County participate as pass through agent for funds. Comm. Willer seconded. All voted Aye and the motion carried.

Comm. Zander moved to appoint John Kuntz to the Housing Authority Board. Comm. Hoff seconded. All voted Aye and the motion carried.

Rich Wardner, Board member for Sunrise Youth Bureau, introduced employees Jerry Mayer, Teddie Brannin, and Holly Praus. Rich Wardner expressed appreciation for the support of 1 mill and providing headquarters for the Youth Bureau, and gave an update on programs offered by the Sunrise Youth Bureau, and inquired if the County would be willing to reimburse the Bureau for expenses exceeding what NDACo reimburses for children from Stark County only. Comm. Nodland suggested the guardian or whoever has custody of the child should pay the bill.

Al Heiser, Road Superintendent, gave an update on road projects. Al reported receiving an Energy Impact Grant to improve a section line north of Dickinson used heavily by oil companies. Al also recommended raising the speed limit on Highway 10. Comm.

Nodland moved to raise the speed limit on Highway 10 from I-94 Business Loop to 114th Ave SW from 40 mph to 45 mph. Comm. Willer seconded. Roll call vote. All voted Aye and the motion carried.

Eileen Pfau, Program Director of Southwest Community Service and Restitution Program gave an update on the program and requested funding for 2008. The Board of Commissioners will consider the request at the September meeting.

Comm. Willer moved to accept and approve the Auditor's report of the pledge of assets and depositories as presented.

<u>BANK</u>	<u>DEPOSITS</u>	<u>PLEDGE REQUIRED</u>
American Bank Center	\$3,195,356.29	\$3,404,891.92
Dacotah Bank	\$1,700,000.00	\$1,760,000.00
Dakota Community Bank	\$3,315,253.12	\$3,536,778.43
Bremer Bank	\$ 700,000.00	\$ 660,000.00

Comm. Zander seconded. Roll call vote. Comm. Nodland Abstained. Comm. Hoff Aye. Comm. Willer Aye. Comm. Zander Aye. Chairman Wolf Aye. The motion carried.

Kay Haag, Deputy Auditor, presented a bill from Milo Burwick and Sons to plug an abandoned well on property owned by Stark County. It was the consensus of the Board to have Comm. Nodland and Al Heiser do some research on the bill and report back at a later meeting date.

Comm. Nodland presented a recommendation from the Zoning Board to change zoning from agriculture to residential for a proposed sub-division owned by Esley Pribyl. Comm. Nodland moved to approve the request to change zoning from agriculture to residential for a sub-division to be located in the SE4 of 34-140-95 and SW4 and S2NW4 of 35-140-95. Comm. Hoff seconded. Roll call vote. All voted Aye and the motion carried.

Comm. Nodland gave a financial update on county shop construction project.

Comm. Hoff reported that the Fair Association awarded the bid to Interstate Engineering to provide a legal description for the proposed fairgrounds.

Chairman Wolf reported that the weed board is working with the county road department to fight noxious weeds. In order to accomplish this task, a Bobcat 4 wheel drive with sprayer and trailer was purchased.

Tim Kelly, Kadrmas Lee & Jackson, gave the engineers report. Tim also reported that the NDDOT would like a formal request to schedule a joint Stark County and City of Dickinson planning study.

Comm. Nodland reported he has had some interest expressed in the State Addition property. The Board requested the States Attorney do further research on ways we can sell real estate. One suggestion for research would be selling State Addition property on an individual basis with an established minimum price and minimum acreage.

Kevin Thompson, DSU Foundation Executive Director, gave a presentation on the proposed renovation project of the aging Whitney Stadium facility. The new facility would be known as the Badlands Activities Center. Mr. Thompson presented Stark County with a joint powers agreement, which would allow for input into future planning and development. Discussion was held. It was the consensus of the Board to have Tom Henning, States Attorney, review the joint powers agreement and address any concerns. Chairman Wolf encouraged dialogue between the Fair Association and DSU to possibly incorporate the fairgrounds into the plan.

Mike Murray and Kevin Solie, Right of Way Agents with the Basin Electric Power Cooperative gave a presentation on the 230KV transmission line project from the Belfield substation to Rhame. The power supplied will be used by Slope Electric.

Comm. Willer moved to adjourn meeting. Comm. Nodland seconded.

Kay Haag, Deputy Auditor

Duane A. Wolf, Chairman

Official Proceedings

**July 23, 2007
8:00 am**

Chairman Duane Wolf called the special meeting of the Stark County Board of Commissioners to order. All members present.

The only item on the agenda was the Joint Powers Agreement for the Badlands Activities Center.

Tom Henning, States Attorney, reported that legally speaking the agreement lacks directive of specific obligations and duties for each entity involved, and is concerned with the term which would bind future commissioners.

Chairman Wolf reported that the county has no sales tax and no home rule charter, so funding would be limited.

Discussion was held on the Stark County Park Board signing the Joint Powers Agreement rather than the Board of Commissioners.

Kevin Thompson, DSU Foundation Executive Director, explained that this Joint Powers Agreement does not address financial commitment, but is to show the Badlands Activities Center project is endorsed by ten major entities in Dickinson & Stark County.

It was a consensus of the Board to support the project, but had concerns with future funding.

Comm. Nodland moved to resolve support for the concept of the Badlands Activities Center and to look further at developing a Joint Powers Agreement that will be agreed upon at a later date. Comm. Willer seconded. Roll call vote. All voted Aye and the motion carried.

The board recessed for the Stark County Park Board meeting.

The board reconvened.

No further action required.

The following **Miscellaneous Receipts** were filed: General: \$182,897.84; 10 Mill: \$12,906.87; County Road: \$46,760.48; Highway Tax Distribution: \$151,501.39; Special Road & Bridge: \$3,877.76; Social Services: \$106,836.57; County Poor: \$54,003.56; Information Technology: \$228.70; County Park: \$10,487.34; County Jail: \$9,846.48; Insurance: \$4,128.76; Comp Health: \$5,379.45; Emergency: \$1,292.59; Veterans Service Office: \$1,710.78; Social Security: \$17,905.43; Advertising: \$665.30; County Agent: \$3,053.37; Weed Control: \$4,273.64; 911 Revenue: \$19,192.57; Adult Education: \$4,498.58; Asset Forfeiture: \$625.00; FingerPrint Station: \$160.00; Domestic Violence: \$770.00; Northland Project Grant: \$7,522.60; Home Land Security Grant: \$19,448.63; Estimate Tax: \$7,157.22; Game and Fish: \$54,021.00; LEC Financial Officer: \$5,160.40; SW Victim Witness: \$2,417.27; DVRCC: \$677.89; Preservation Fee: \$1,197.00; Other Reimbursements: \$8,900.63; 911 Equipment: \$3,468.84; 911 Wireless Fee: \$2,928.70;

Comm. Hoff moved to adjourn. Comm. Zander seconded.

Alice Schulz, Auditor

Duane Wolf, Chairman